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October 4, 2017

By ECF

The Honorable Ramon E. Reyes, Jr.
United States District Court for the
Eastern District of New York
United States Courthouse, Room 208 N
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Chufen Chen et al. v. Dunkin' Brands Inc. d/b/a Dunkin' Donuts*,
Case No. 17-cv-03808-CBA-RER

Dear Judge Reyes:

I am counsel for defendant Dunkin' Brands Inc. ("Dunkin'") in the referenced action. I submit this letter motion pursuant to Section II.C of Your Honor's motion and individual practice rules to request a three-week extension of Dunkin's deadline to respond to plaintiffs' amended complaint.

Plaintiff Chen filed the initial complaint in this action on June 25, 2017. However, that initial complaint was never served on Dunkin'. Instead, a First Amended Complaint was filed approximately three months later (on September 18, 2017), which added four additional plaintiffs allegedly residing in four additional states. Plaintiffs' 54-page, 261-paragraph First Amended Complaint asserts fourteen causes of action against Dunkin' on behalf of a putative nationwide class. Among other things, plaintiffs assert claims under the consumer fraud statutes of all 50 states and the District of Columbia, as well as numerous state warranty laws. While Dunkin' does not believe the action has merit, given the length of the First Amended Complaint and the nature of the issues raised in it, Dunkin' respectfully requests a three-week extension of its deadline to respond by answer or through motion practice pursuant to the Court's rules.

Dunkin's response is currently due October 10, 2017. (*See* ECF No. 7.) The requested extension would extend that deadline through October 31, 2017. This is Dunkin's first request for an extension of time.

Dunkin' requested consent to this extension from plaintiffs' counsel. While plaintiffs' firm stated that they did not have an objection to the requested extension,



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plaintiffs' counsel proposed a stipulation for that extension that also included additional matters and conditions that had nothing to do with the timing for a response to the First Amended Complaint, including (i) Dunkin's consent in advance to "all further amendments" of plaintiffs' complaint; (ii) a waiver of challenges to personal jurisdiction; and (iii) an agreement to the tolling of the statute of limitations on plaintiffs' claims. Dunkin' proposed a version of the stipulation that addressed only the issue of the three-week extension to respond, but plaintiffs' counsel apparently is unwilling to enter that stipulation as they have not responded to emails proposing it. Because Dunkin's response otherwise would be due less than a week from today, Dunkin' therefore is submitting this request to the Court.

Respectfully submitted,

/s/ Sean Morris

Sean Morris

Copies: All counsel of record (by ECF)